

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

VS.

Case No.: 4:19CR00110-BSM

JOSHUA HATLEY

DEFENDANT

MOTION TO RECONSIDER PRE-TRIAL RELEASE BASED ON COVID-19

COMES NOW Defendant, Joshua Hatley, by and through counsel, Randel Miller and Jerry Roberts, and for his Motion To Reconsider Pre-Trial Release Based on Covid-19, states:

1. Defendant appeared in federal court before Magistrate Beth Deere on July 10, 2019. Defendant was ordered detained.

3. Defendant's trial is now set for July 6, 2020.

4. Defendant is presently being held at the VanBuren County Detention Center.

5. Defendant is living in a confined area where twenty (20) men share a common area, specifically they all share one sink.

6. The Covid-19 crisis is well documented and widely recognized as a world wide health crisis wherein everyone is told, particularly high risk individuals, to social distance, wash your hands frequently, and wear a mask. It is impossible for Defendant to social distance in a jail in general population and masks are not permitted.

7. Defendant has numerous health problems, specifically, obstructive sleep apnea, a history of heart disease (cardiomyopathy), including a heart attack in 2018, high blood pressure and other health conditions (degenerative disc disease) that make him more at risk for Covid-19 than the average person. Defendant meets the definition of high risk as promulgated by the CDC.

8. The undersigned has provided medical records to Assistant United States Attorney Ed Walker documenting his health issues and has discussed this issue with Mr Walker.

9. In the interest of Defendant's health and safety, he requests he be released from custody. An ankle monitor and close supervision by a pre-trial officer will be an adequate means of ensuring defendant's appearance for trial. Defendant's plan is to live with his grandmother in Poinsett County.

WHEREFORE, the Defendant, Joshua Hatley prays the Court to reconsider the detention issue and allow him to be released pending trial, and for all other just and proper relief to which he is entitled.

Respectfully Submitted,

RANDEL MILLER
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CERTIFICATE OF SERVICE

I, Randel Miller the undersigned, do certify that I have served a copy of the foregoing pleading by EFILE and Email to the following email addresses shown below, on the 13st day of April, 2020.

Edward Walker
Assistant U.S. Attorney
edward.o.walker@usdoj.gov

/S/ RANDEL MILLER
Randel Miller